

**REMARKS**

In the application, claims 3-6, 9-10, 16, and 18 are pending. Basis for newly added independent claim 18 is original claims 1-2, 7, and 8. Applicant has amended the dependency of claims 3, 6 and 9. Claims 1-2, 7, 8, and 17 have been canceled by this amendment.

Claim 17 has been rejected under 35 USC 112, first paragraph. With the canceling of claim 17, this rejection is now moot.

Claims 1, 8, 9, 16-17 have been previously rejected by the Examiner under 35 USC 102(b) as being anticipated by WO 93/13055. The reference is not anticipatory for the reasons set forth in Applicants' earlier response(s) to this rejection. Even if, as suggested by the Examiner, the active ingredient of the presently claimed compositions was expressly disclosed in WO 93/13055, which it is not, the reference would still not be anticipatory. Presently, Applicants' claims as amended are limited to a solid dosage form, a 1:1 ratio of the (2S)-2-amino-4-[[2-(ethanimidoylamino)ethyl]thio]butanoic acid with phosphoric acid, and the specific bulking agent and antioxidant or chelating agent are enumerated (Claim 18). Further, the only disclosure in the cited reference of compositions containing antioxidants refers to injection solutions (page 9, lines 28 – 30), while Applicants' claimed composition is a solid dosage form containing the antioxidant. There is, therefore, no hint or suggestion of an antioxidant in conjunction with a tablet or capsule in the reference.

The rejection of the application by the Examiner under 35 USC 103(a) has been maintained by the Examiner in the final official action. Applicants maintain that their specific composition as presently claimed is nowhere set forth in the cited reference WO 93/13055. Thus, the silence of the reference cannot render Applicants' claimed invention obvious as the Examiner asserts.

The Examiner has cited US Patent No. 6,297,281 as state of the art. Note, there is likewise no specific disclosure in '281 of Applicants' claimed formulation as amended.

In view of the foregoing amendments and remarks, it is respectfully requested that the Examiner withdraw these rejections to the claims and allow the application.

A Request for Continued Examination is filed concurrently herewith.

The Commissioner is hereby authorized to charge any fees required or credit any overpayment to Deposit Account No. 07-1392.

Respectfully submitted,

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